IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

WP(C).No. 32003 of 2007(I)

RCP.62/2005 OF PRL.MUNSIFF COURT,THRISSUR
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PETITIONER:

K.K.UNNI @ KUNJUNNY,
S/O.KORAPPATH MADHAVI AMMA,
ANCHERY DESOM, OLLUR VILLAGE,
THRISSUR TALUK.

BY ADV. SRI.K.K.CHANDRAN PILLAI
SRI.A.S.SAJUSH PAUL

RESPONDENTS:

T.B.SUBRAMANIA IYER,
S/O.THRIKKUR MADAM BALARAMA IYER,
PUSHPAGIRI AGRAHARAM, THRISSUR VILLAGE-TALUK.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR & T.R.RAMACHANDRAN NAIR, JJ.

Writ Petition (C) No.32003 of 2007-I

Judgment

Balakrishnan Nair, J.

The petitioner challenges Exts.P7 and P8 orders passed in IA Nos.9092/07 and 9091/07 respectively in RCP No.62/2005. The first IA was filed for receiving in evidence some additional documents and the second IA was for re-opening the evidence so that the petitioner could tender further evidence in support of his case. If the final order in the RCP goes against the petitioner, while challenging that in appeal, he can challenge the validity of the orders passed by the Rent Controller in the above orders also. In view of the above position, it is unnecessary for this court to entertain this Writ Petition under Article 227 of the Constitution of India. The appellate power is far wider than the power of this Court under Article 227. Therefore, it is also in the interest of the petitioner to follow such a course. Accordingly, the Writ Petition is closed without prejudice to the contentions of the petitioner.

K.BALAKRISHNAN NAIR,JUDGE

29.10.2007 **T.R.RAMACHANDRAN NAIR, JUDGE**

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